

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.
★ JUN 17 2005 ★

UNITED STATES OF AMERICA,

Plaintiff,

-against-

ANN-MARIE O'CONNOR,

Defendant.

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X

PM.
04-JV-2546 (ARR)

NOT FOR ELECTRONIC
OR PRINT
PUBLICATION

OPINION AND ORDER

ROSS, United States District Judge:

A default judgment was erroneously entered in the instant case on December 14, 2004. That judgment was vacated on March 9, 2005 because defendant's answer had been timely filed and because plaintiff's motion for summary judgment had failed to include a Notice to Pro Se Litigant as required by Rule 56 of the Federal Rules of Civil Procedure. Plaintiff renewed its motion for summary judgment on March 18, 2005. The motion is respectfully referred to Magistrate Judge Pollak pursuant to 28 U.S.C. § 636(b)(1)(B) for a report and recommendation.

SO ORDERED.

Allyne R. Ross
United States District Judge

Dated: June 16, 2005
Brooklyn, New York

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